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**IN THE PUNJAB AND HARYANA HIGH COURT
AT CHANDIGARH**

CRM-M-30632-2025
Decided on:29.05.2025

Mandeep Singh @ Mandeep

.... Petitioner

versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Rajpal Singh Kalra, Advocate
for the petitioner.

Sandeep Moudgil, J. (Oral)

1. **Prayer**

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.177, Dated 10.08.2024, registered under Sections 406, 420 IPC at Police Station Patran, District Patiala.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

"It is recorded at this time that one application No.3278/Peshi dated 07.08.2024 moved by Parveen Kaur wife of Ram Singh, resident of Chunagra Road, Ward No.13, Sagar Basti, Patran, District Patiala has been received in the office of SSP, Patiala through post for registration of FIR under sections 406, 420 IPC against Tinku son of Rajveer Kumar, resident of Suniar Basti Kahangarh Road Patran, District Patiala, Mandeep Singh son of Davinder Singh, resident of Near Bus Stand Sukhpura Chowk, Street Opposite H.P. Petrol Pump, Rohtak, (Haryana), which is being reproduced as under: To, the SSP, Patiala. Subject: Application for taking action against (Tinku son of Rajvir Kumar, resident of Suniar Basti, Kahangarh Road, Patran (Mobile No.80534-03405) and his friend Mandeep Singh (Mobile No.80900-006688) son of Davinder Singh, resident of Near Bus Stand, Sukhpura Chowk, Street Opposite H.P. Petrol Pump, Rohtak



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(Haryana), on account of cheating of Rs.8,00,000/- (Rupees Eight Lakhs) on the pretext of providing job to the son of applicant and for giving threats to eliminate them. Sir, It is submitted that 1. Parveen Kaur wife of Ram Singh, am resident of Chunagra Road, Ward No.13, Sagar Basti, Patran, Tehsil Patran, District Patiala and submit the application with you. That Tinku son of Rajvir Kumar, resident of Suniar Basti, Kahangarh Road, Patran, District Patiala and Mandeep Singh have induced my son Sanjeev Singh for providing him job and they stated to me that you have to pay Rs.8,00,000/- in lieu of the job and we will get your son Sanjeev Singh appointed in Government Forest Department on permanent basis. Upon which, I came under their inducement and believed them, they made me ready for paying above said amount and they said to my son Sanjeev Singh that you have to appear in the exam, we will get you passed at our own. I at the instance of Tinku toggled to his father in law Om Parkash, resident of Patran (Retired employee of Municipal Council, Patran), Om Parkash also assured me that Tinku is my son in law and he will definitely get your work done, upon which, I had strong belief. Then I asked them as to how I will arrange such a huge amount, they stated to arrange the amount after obtaining loan or on interest. With great difficulty, I paid Rs.8 Lakh to them by taking amount on interest and out of my saving, Tinku gave Rs.3,20,000/- further to Mandeep Singh. This amount was paid through Tinku because we did not know Mandeep Singh. That Tinku and Mandeep Singh despite receiving amount from me did not get my son appointed on job and nor returned the amount, after which we gave an application in E.O. Wing for action against these persons, after which Tinku handed over three cheques of Rs.3,80,000/- to me (Cheque No.000001 for Rs.80,000/-, Cheque No.000002 for Rs.1,00,000/-, Cheque No.000003 for Rs.2,00,000/- of H.D.F.C Bank Limited, Patran, out of which, he took back cheque No.000001 for Rs.80,000/- by paying cash amount and Cheques No.000002 and 000003 were dishonoured when present in the bank due to insufficient funds in the account. Apart from this, Tinku handed over two cheques No.064066 for Rs. 1,50,000/-, Cheque No.064067 for Rs.1,50,000/- drawn at Bank of Maharashtra, Branch Rohtak by saying that amounts can be withdrawn through these cheques and said that he will pay remaining Rs.20,000/- in cash, but these cheques of Mandeep Singh were presented in the bank, the same were also dishonoured and the signatures on the cheque are also not proper. In



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this manner, they have committed a big fraud with me and cheated me, on one side they duped me of Rs.8 Lakh on the pretext of providing to my son and on other side they handed over wrong cheques for return of amount, which were also bounced and signatures are not proper. Now, when I ask them to return my amount, they give me threats to eliminate and openly saying that we will return any amount, due to which I am mentally harassed. Therefore, by way of application it is requested that a strict legal action may kindly be taken against above said Tinku and Mandeep Singh on account of committing cheating of Rs.8 Lakh on inducement of providing job and on account of dishonour of cheques provided by them and for giving threats and justice be delivered to me. I shall be highly thankful. Yours faithfully, Sd/- Parveen Kaur wife Ram Singh, resident of Chunagara Road, Ward No.13 Sagar Basti Patran, Tehsil Patran, District Patiala. Mobile No.79735-75901.”

3. Contentions

On behalf of the petitioner

Learned counsel for the petitioner submits that co-accused Tinku after collecting the amount from the complainant has handed over an amount of Rs.3,20,000/- to the petitioner. The said amount is stated to be for the purpose of arranging a job in the Forest Department for the son of the complainant. Except that, there is no allegation against him. Learned counsel further submits that co-accused Tinku has already been granted the concession of anticipatory bail by this Court vide order dated 23.10.2024 passed in CRM-M-52819-2024. The petitioner has already paid an amount of Rs.3,70,000/- to the complainant by way of bank transactions and complainant has also executed an affidavit dated 03.03.2025 with regard to the same. He undertakes on behalf of the petitioner that he is ready and willing to join the investigation.

Notice of motion.



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On behalf of the State/complainant

Mr. Jastej Singh, Addl. AG, Punjab having been served with an advance copy, accepts notice on behalf of respondent/State. He prays for dismissal of the present petition stating that respondent No.2 has been duped of an amount of Rs.6,20,000/- for providing government job to the son of the complainant.

4. Analysis

Be that as it may, as per the allegations in the FIR, co-accused Tinku has handed over an amount of Rs.3,20,000/- to the petitioner, after collecting the same from the complainant. To show his *bona fide*, the petitioner has already returned an amount of Rs.3,70,000/- to the complainant by way of bank transactions.

Considering the *bona fide* and role of the petitioner, who has fairly admitted his contribution in commission of offence, this Court is of the view that no useful purpose would be served by sending the petitioner behind the bars.

5. Relief:

Hence, in view of the admitted set of circumstances, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-



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- (i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*
- (ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) a condition that the person shall not leave India without the previous permission of the Court;*
- (iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'*

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

29.05.2025
sonia

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/non-speaking?
Whether reportable?

Yes/No
Yes/No